

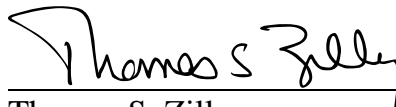
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUAN AGUILAR,) CASE NO.: C07-1804-TSZ
)
Petitioner,)
)
v.) ORDER DISMISSING § 2254
) PETITION
WARDEN GAY,)
)
Respondent.)

The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's answer to the petition, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the balance of the record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's federal habeas petition (Dkt. No. 1) is DISMISSED, with prejudice, under 28 U.S.C. § 2244(d); and
- (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to Judge Theiler.

DATED this 23rd day of June, 2008.


Thomas S. Zilly
United States District Judge

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